

Message Text

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PAGE 01 BERLIN 05098 211802Z

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ACTION EUR-08

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FM AMEMBASSY BERLIN

TO SECSTATE WASHDC 1950

AMEMBASSY PARIS

INFO AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY THE HAGUE

USMISSION NATO

USMISSION USBERLIN

C O N F I D E N T I A L BERLIN 5098

LIMDIS

NOFORN

E O 11652: GDS

TAGS: PFOR, PGOV, GE, CGEN, US

SUBJ: GDR CONSULAR AGREEMENTS: HINTS AT POSSIBLE GDR COMPROMISE ON
NATIONALITY.

REF: A. PARIS 00771, B. 75 BERLIN 6590

1. WE FOUND INTERESTING EMBASSY PARIS'S ACCOUNT OF GDR FOREIGN
MINISTER FISCHER'S APPARENT HINT THAT THE GDR COULD ACCEPT A REFER-
ENCE TO PERSONS "WHO PRESENT" NATIONAL PASSPORTS IN PLACE OF A
DEFINITION OF NATIONALITY (REF A). (SOME OF PARIS'S PREVIOUS
REPORTING AS WELL AS A COMMENT BY A BELGIAN DIPLOMAT HERE HAD
ALREADY SUGGESTED SOME POSSIBLE SHIFT IN THE GDR POSITION ON
NATIONALITY - REF. B).

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PAGE 02 BERLIN 05098 211802Z

2. HOWEVER, EVEN A REFERENCE TO "PERSONS WHO PRESENT....PASS-PORTS" REPRESENTS AN UNNECESSARY STATEMENT OF THE OBVIOUS, E.G. THAT CONSULAR OFFICERS NORMALLY EXTEND CONSULAR SERVICES, EXCEPT FOR VISAS AND CERTAIN NATIONAL FUNCTIONS, ONLY TO THEIR OWN CITIZENS. FURTHER, WE WONDER WHETHER THE PHRASE "PRESENT.....PASS-PORTS" WOULD GIVE THE GDR AN OPENING TO MAKE PRESENTATION OF A U.S. PASSPORT THE SINE QUA NON TO U.S. CONSULAR ACCESS TO AMERICAN CITIZENS IN THE GDR. IF SO, THIS COULD HAVE SERIOUS CONSEQUENCES FOR CASES OF DUAL NATIONALS OR AMERICAN CITIZENS IN THE GDR WHO ARE, FOR SOME REASON, UNABLE TO PRESENT U.S. PASSPORTS. WHAT WE WOULD GAIN IN THE OSTENSIBLE ELIMINATION OF A NATIONALITY CLAUSE, WE MIGHT LOSE ON DUAL NATIONALITY.

3. WE AGREE WITH PLAISANT THAT THE BEST PROCEDURE NOW IS TO WAIT OUT THE GDR ON THE "FISCHER APPROACH" TO NATIONALITY. IN THE MEANTIME, WE RECOMMEND A MOST CAREFUL REVIEW OF THAT POSSIBLE COMPROMISE TO SEE IF THERE WOULD BE A NET U.S. ADVANTAGE TO OUR ACCEPTANCE OF IT - AND NOT ONLY IN THIS NARROW AREA OF A NATIONALITY DEFINITION.COOPER

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